

Attorney Docket No. 71417/49138

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Kearney et al.

EXAMINER: Not Yet Assigned

SERIAL NO.: 09/961,128

GROUP: 1646

FILED: September 21, 2001

FOR: Endothelial Cell Mitogen Bioassay

Box Missing Parts

Assistant Commissioner for Patents

Washington, D.C. 20231

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service with sufficient postage as Express Mail in an envelope (no. EL 931635887 US) addressed to the Assistant Commissioner of Patents and Trademarks, Box Missing Parts, Washington, D.C. 20231 on May 21, 2002.

By:

Elizabeth Anne Sweeny
Elizabeth Anne Sweeny

RESPONSE TO NOTICE TO FILE CORRECTED APPLICATION PAPERS- FILING DATE GRANTED AND REQUEST FOR CORRECTED OFFICIAL FILING RECEIPT

Sir:

The following is in response to the Notice to Corrected Application Papers- Filing Date Granted (PTO-4197) mailed October 24, 2001 in the above referenced application.

Applicant petitions for an extension of time to provide for the possibility that such a petition is required.

Enclosed herewith for filing in the subject application are the following:

1. A copy of the Notice to File Corrected Application Papers-Filing Date Granted for the subject application.

2. A properly signed Declaration in compliance with 37 CFR §1.63 with power of attorney, identifying the application by the above Application Number and date and executed by Marianne Kearney.
3. A properly signed Declaration in compliance with 37 CFR §§1. 42 & 1.63 with power of attorney, identifying the application by the above Application Number and date and identifying the deceased named inventor and the legal representative/ heirs of the deceased and executed by Linda Isner (legal representative) on behalf of deceased named inventor Jeffrey M. Isner.
4. Completion of application filing fees as calculated below:
 - A. Surcharge for late payment of filing fee and/or late filing of original declaration or oath (small entity)\$ 65.00
 - B. Extension of time (5 months)\$ 980.00
 - Total \$1,045.00
5. Verified Statement (Declaration) Claiming Small Entity Status (37 CFR 1.9(f) and 1.27(d))- Nonprofit Organization executed by John R. Fitzgerald, Vice President of Finance, of St. Elizabeth's Medical Center of Boston, Inc.
6. Substitute drawings (Figures 1-7; 9 pages) as requested in the Notice to File Corrected Application Papers.
7. Copy of Filing Receipt with Charges Marked in Red. The application as filed included 17 (seventeen)- not 12 (twelve) claims. Applicants respectfully request a corrected filing receipt for the above-referenced patent application.

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RESPONSE TO MISSING PARTS NOTICE
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Applicants also request a change of attorney mailing address to P.O. Box 9169,
Boston, MA 02209.

Enclosed herewith is a check for \$1,045.00. If, however, Applicants are
incorrect then the Commissioner is authorized to change the deposit account as more
particularly provided below. Applicants also respectfully request a corrected official filing
to reflect any corrections resulting from the within Response and/or the enclosed
declaration.

Applicants believe that additional fees are not required, however, if for any reason
a fee is required, a fee paid is inadequate or credit is owed for any excess fee paid, you
are hereby authorized and requested to charge Deposit Account No. **04-1105**. In
particular, the Commissioner is hereby authorized to charge any deficiencies in the
following fees: filing fees (37 C.F.R. §1.16(a), (f) or (g)); fees associated with the
presentation of extra claims (37 C.F.R. §1.16(b), (c) and (d)); surcharge for filing the basic
filing fee and/or declaration on a date later than the filing date of the application (37 -
C.F.R. §1.16(e)); extension fees pursuant to § 1.136(a) (37 C.F.R. §1.17(a)(1)-(5)); and
application processing fees (37 C.F.R. §1.17).

Respectfully submitted,

EDWARDS & ANGELL
DIKE, BRONSTEIN, ROBERTS
& CUSHMAN
Intellectual Property Practice Group

Date: May 21, 2001

By:

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(617)439-4444



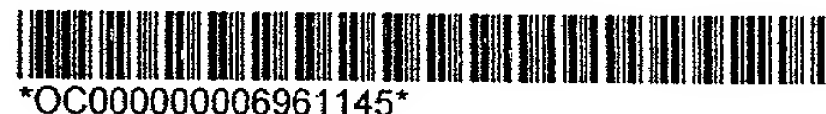
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COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/961,128	09/21/2001	Marianne Kearney	49138 (71417)

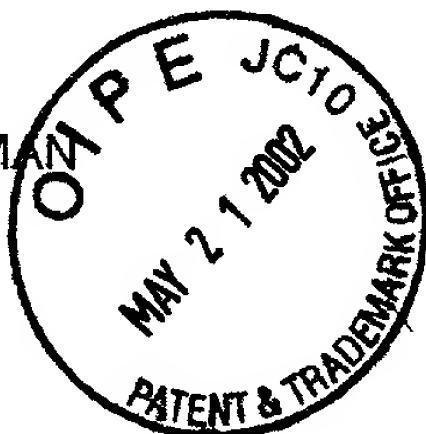
CONFIRMATION NO. 4197

FORMALITIES LETTER



OC000000006961145

EDWARDS & ANGELL, LLP
DIKE, BRONSTEIN, ROBERTS & CUSHMAN
Intellectual Property Practice Group
101 Federal Street
Boston, MA 02110



Date Mailed: 10/24/2001

NOTICE TO FILE CORRECTED APPLICATION PAPERS

Filing Date Granted

This application has been accorded an Application Number and Filing Date. The application, however, is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given **TWO MONTHS** from the date of this Notice within which to correct the informalities indicated below. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a)

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawings have a line quality that is too light to be reproduced (weight of all lines and letters must be heavy enough to permit adequate reproduction) or text that is illegible (reference characters, sheet numbers, and view numbers must be plain and legible) see 37 CFR 1.84(l) and (p)(1));

A copy of this notice MUST be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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